

**EMPLOYEE DECLARATION
FOR UTILITY OR DESIGN PATENT APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As a below named inventors, we declare that:

Our residence, post office address, and citizenship are as stated below.

The below named inventors are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Drug Delivery Device and Method

the specification of which

☐ is attached hereto

☒ was filed on November 14, 2003 as PCT International Application Number PCT/AU2003/001526. (Now U.S. Application S/N 10/535,110, filed May 16, 2005).

We have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

We claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f) or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Serial No.: AU2003/903586 Country: Australia Filing Date: July 11, 2003

Serial No. AU2002/952707 Country: Australia Filing Date: November 15, 2002

and

Serial No.: PCT/AU2003/001526 Country: Australia Filing Date: November 14, 2003

Attorney Docket No.: 130098-1001

We claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

NONE

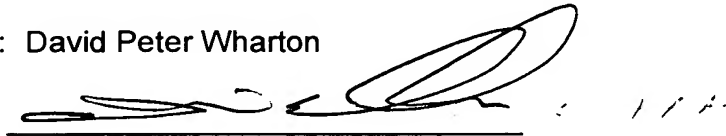
We claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below or § 365(c) of any PCT International Application designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of any prior application(s) and the national or PCT international filing date of this application:

NONE

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Given name of Inventor: David Peter Wharton

Inventor's Signature:



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Date:

24 / 01 / 2006